

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

MARY JOHNSTON

PLAINTIFF

v.

No. 2:18-CV-2152

CITY OF FORT SMITH, ARKANSAS

DEFENDANT

ORDER

Before the Court is Defendant City of Fort Smith, Arkansas's motion for summary judgment (Doc. 30), statement of facts (Doc. 31), and brief in support (Doc. 32). Plaintiff Mary Johnston filed a response (Doc. 38) and statement of facts (Doc. 39) to which Defendant filed a reply (Doc. 41). The Court has reviewed the briefs and supporting documents. Viewing the record in the light most favorable to Plaintiff, the Court finds questions of law and material fact remain with respect to Plaintiff's claims.

IT IS THEREFORE ORDERED that Defendant's motion (Doc. 30) for summary judgment is DENIED, and the matter remains pending for trial.

IT IS SO ORDERED this 26th day of December, 2019.

/s/ P. K. Holmes, III

P.K. HOLMES, III
U.S. DISTRICT JUDGE